



CITY OF AKRON, OHIO
POLICE DIVISION
JAMES D. NICE, CHIEF OF POLICE

NUMBER P-2011-059	EFFECTIVE DATE October 31, 2011	RESCINDS P-2008-059 Issued 8-1-08
SUBJECT Vehicle Impoundment and Inventory Procedure	ISSUING AUTHORITY Chief James D. Nice	

I. POLICY

To satisfy the requirements of the 4th Amendment to the United States Constitution, an inventory search of a lawfully impounded vehicle must be conducted in good faith and in accordance with reasonable standardized procedures. Correct and complete information on a tow report is necessary to aid in the protection of citizen's property while it is in police custody and for the protection of the police department against claims or disputes over property. The department will conform to the guidelines established by the Ohio Supreme Court to ensure this process occurs. Having the authority to tow does not mean having the need to tow.

II. DEFINITION

Inventory search – An administrative caretaking process intended to protect public property that is in police custody, to ensure against claims involving theft or vandalized property, and to protect the police from danger.

III. PROCEDURE

A. OFFICER'S RESPONSIBILITIES

1. It is the practice of the department to adhere to the City of Akron Traffic Code regarding impounding of vehicles with emphasis on determining the necessity to use this authority.
2. Unless extraordinary circumstances apply, the below guidelines will be used to determine when to tow:
 - a. No plates or expired validation stickers over one month.
 - b. Expired or altered 30 day tags.
 - c. Three or more verified unpaid parking citations.
 - d. Constitutes a hazard.
3. Driver's license violations.

October 31, 2011

- a. The owner may allow a properly licensed driver to drive or secure his vehicle in a legal parking spot.
- b. If this is not possible, the officer should tow if the operator has:
 - 1) Suspended license, properly verified by the officer.
 - 2) No driver's license or license expired six months or more.
 - 3) Temporary permit but no licensed driver.
- c. The operator should be allowed to drive if:
 - 1) Driver's license has been expired less than six months.
 - 2) Valid driver's license not on person.
- d. Abandoned junk motor vehicle complaints shall be referred to the day shift Traffic Bureau.
- e. Private parking complaints.
 - 1) An officer shall allow the party in lawful control of the premises to sign a private parking affidavit and the officer shall issue a parking ticket for the violation.
 - 2) During business hours the vehicle should be towed. On weekends, holidays, or during late hours the officer will not tow immediately unless he determines it is necessary. He shall forward the completed affidavit to the Traffic Bureau.

B. INVENTORY AND INFORMATION

1. Officers shall inventory the vehicle and complete a Tow Report for all vehicles that are impounded.
2. A driver requesting a tow after an accident or for a disabled vehicle is a private tow, and no report is required.
3. When a parking ticket is issued, the ticket number, violation code, and description will be written on the Tow Report.
4. An inventory shall be conducted in the following manner:
 - a. Inventory all interior and exterior areas of an impounded vehicle utilizing the checklist on the report. If possible, locked vehicle doors should be opened and the

October 31, 2011

inside of the vehicle inventoried. If the trunk or glove compartment is locked, do not open it unless the key is readily available.

- b. Packages, suitcases, or other unlocked containers within the vehicle will be opened and inventoried. If the key is readily available for any locked container, or the locked container can be opened by other means without causing damage to the container, it will be opened and inventoried.
- c. Intrusion into locked containers or secured areas that cannot be opened without causing damage shall be made only after receiving permission from the owner or obtaining a search warrant.
- d. Any items removed for safekeeping or confiscated as evidence will be noted on the report in the remarks section.
- e. Officers are to visually verify the serial number of the dashboard and the federal sticker on the door jam.
- f. When recording a SERIAL NUMBER on the report, officers will make a distinction between letters and numbers by making the letters larger.
- g. Enter only information in each section of the report that pertains to the towed vehicle. Incidental information should go in the remarks section; i.e., if a vehicle has no license plates, leave that section blank. License plate numbers which should be on the vehicle will be noted in the remarks section. Do not mark the vehicle as stolen if it has not already been reported. List this information in the remarks section.
- h. An individual wishing to obtain a release on a towed vehicle will be referred to the Information Desk.

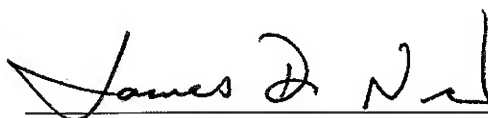
C. VEHICLE HOLDS

1. When a vehicle is impounded and a tow report is completed the minimum hold to be placed on the vehicle is for ownership. However, a driver requesting a tow, after an accident or for a disabled vehicle, is a private tow and no report or hold is required.
2. Stolen vehicles do not require a hold for the Auto Theft Unit. If an officer determines a need for an Auto Theft Unit hold, detail that need in the remarks section.
3. If an officer places a hold for the Hit-Skip Unit, note the traffic accident report number, if known, in the remarks section.
4. When a vehicle is impounded for forfeiture, place a hold for Narcotics and put a copy of the Tow Report in the Narcotics seizure packet.

October 31, 2011

5. If a detective or officer requests a hold for investigation, the officer towing the vehicle shall notify the detective or officer requesting the hold that the vehicle has been impounded.
6. If another agency requests a hold, the officer towing the vehicle shall notify that agency that the vehicle has been impounded and, if possible, obtain a point of contact from the other agency to place on the Tow Report.
7. If an officer places a hold for pretrial seizure, driving under suspension, or operating a vehicle while impaired he must complete a BMV2255 and submit it to the Clerk of Courts.
8. If an officer places a hold for processing, he shall contact the DB Desk and notify them that the vehicle has been impounded and is being held for processing.
9. If an officer places a hold for stereo seizure, he shall describe the items seized in the remarks section.
10. If an officer places a hold for a traffic investigation, he shall note the traffic accident number in the remarks section, if available.
11. If the serial number is unreadable, or the federal sticker is missing on the door jam, then place a hold on the vehicle for the Auto Theft Bureau.

By Order Of,



James D. Nice
Chief of Police

Date

October 13 2011
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